

CITY COUNCIL, CITY OF LODI
CITY HALL COUNCIL CHAMBERS
March 10, 1982

An adjourned regular meeting of the Lodi City Council was held beginning at 8:00 p.m., Wednesday, March 10, 1982 in the City Hall Council Chambers.

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| ROLL CALL | Present: | Councilmen - Hughes, Katnich (left the meeting at approximately 11:05 p.m.), Pinkerton, and McCarty |
| | Absent: | Councilmen - Murphy |
| | Also Present: | City Manager Graves, Assistant City Manager Glenn, Community Development Director Schroeder, Public Works Director Ronsko, City Attorney Stein, Associate Civil Engineer Richard Prima, and City Clerk Reimche. |

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| INVOCATION | The invocation was given by Pastor Don Levy, Faith Fellowship Church |
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| PLEDGE OF ALLEGIANCE | The Pledge of Allegiance was led by Mayor McCarty |
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| PRESENTATIONS | A presentation was made by Mayor McCarty to Mabel Allen for her outstanding contributions to this community and to youth. |
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PUBLIC HEARINGS

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| LOCKEFORD STREET IMPROVEMENT PROJECT, HAM LANE TO CALIF- ORNIA STREET, LODI | Notice thereof having been published in accordance with law and affidavit of publication being on file in the office of the City Clerk, Mayor McCarty called for the Public Hearing to consider the Lockeford Street Improvement Project, Ham Lane to California Street, Lodi. The matter was introduced by Public Works Director Jack Ronsko and Associate Civil Engineer Richard Prima. The purpose of the hearing was addressed and the approval and decision process was explained in detail. |
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[Handwritten signature and date 3-10-82]

Under project review and recommendation, back-ground information on the project was given; project alternates explained and the recommendation of Alternate 1 was explained.

Council was apprised that the pavement on Lockeford Street between Ham Lane and California Street is presently in need of major repairs and reconstruction. The existing pavement was constructed in the mid 1950's and has received periodic preventative maintenance including crack sealing and slurry seals. It has reached the condition and age where the costs of maintenance is high and the benefit is low. In addition, much of the curb and gutter is broken, sunken or otherwise impedes proper drainage. Diagrams indicating the various improvement alternates were presented for Council's perusal.

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Mrs. Harriet Jones, 230 N. Fairmont, Lodi, addressed the Council stating that Alternate 1 would be very satisfactory to them.

There being no other persons wishing to speak on the matter, the public portion of the hearing was closed.

On motion of Councilman Pinkerton, McCarty second, Council certified the issuance of the Negative Declaration on this project.

Councilman Hughes then moved for adoption of Resolution No. 82-19 approving Alternate 1 for the Lockeford Street Improvement Project, Ham Lane to California Street, Lodi, which alternate provides for two travel lanes and one parking lane that meet City Standards. It includes replacing curb and gutter as needed at its present location, reconstructing the pavement and the prohibiting of parking on the north side, and as set forth in detail in Resolution No. 82-19

RES. NO. 82-19

The motion was seconded by Councilman Pinkerton, and carried by the following vote:

Ayes: Councilmen - Hughes, Pinkerton
and McCarty

Noes: Councilmen - Katnich

Absent: Councilmen - Murphy

Staff was directed to inform property owners in the subject area of the Council's actions in this matter, and of the City's ownership of the right-of-way.

RECESS

Mayor McCarty called for a recess at 8:50 p.m. and the Council reconvened at 8:53 p.m.

HUTCHINS STREET
IMPROVEMENT
PROJECT,
KETTLEMAN LANE
TO PINE STREET,
LODI

Notice thereof having been published in accordance with law and affidavit of publication being on file in the office of the City Clerk, Mayor McCarty called for the Public Hearing to consider the Hutchins Street Improvement Project, Kettleman Lane to Pine Street, Lodi.

CC-45(2)
CC-45(4)

The matter was introduced by Staff who explained the purpose of the hearing, the approval and decision process. A recap of the project and alternatives was presented. Environmental concerns and responses were addressed.

The recommended project was addressed and cost comparisons were discussed as well as options with minimal right-of-way acquisition.

Diagrams of the subject area were presented for Council's perusal.

The following persons gave testimony on the matter:

- a) Ronald Chevrier, 615 S. Hutchins St., Lodi
- b) Jeff Kirst, 18 N. School St., Lodi

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- c) Gene Walton, Attorney at Law, representing
Leon Perlegas, 1340 S. Hutchins St., Lodi
- d) Gene Jolly, 1325 S. Hutchins St., Lodi
- e) Alice Woollett, 1112 S. Hutchins St., Lodi
- f) Brenda Kermode, 510 Rimby St., representing
the New Life Center
- g) Don Campbell, 412 W. Walnut Street, Lodi
- h) Karen Nantt, 1315 S. Hutchins St., Lodi
- i) Ted Wittmayer, 921 S. Hutchins St., Lodi
- j) M. Vaz, 931 S. Hutchins St., Lodi

There being no further persons wishing to give testimony, the public portion of the hearing was closed.

Petitions, signed by approximately 172 persons, stating "We, the undersigned residents of Lodi, ask the City Council to reject the proposed widening of South Hutchins Street" were presented to the City Council.

The full proceedings of this public hearing were recorded by a qualified reporter and a complete transcript of these proceedings are on file in the office of the City Clerk.

A very lengthy discussion followed with several motions pertaining to the subject improvement project failing to pass.

Following additional discussion, on motion of Councilman Hughes, McCarty second, Council, by unanimous vote certified the adequacy of the Environmental Impact Report of the subject project and adopted the recommended project from Vine to Lodi Avenue as presented by Staff, with left turn pockets at Vine and Tokay; providing for 53 1/2' curb to curb - 65' right-of-way at Hutchins Street, Kettleman - Rimby Avenue, and reaffirming that the 80' set back for the entire street will remain.

RECESS

Mayor McCarty called for recesses at 10:30 and at 11:00 p.m., and the Council reconvened at 10:35 and 11:05 p.m. respectively.

COUNCILMAN
KATNICH LEAVES

Councilman Katnich left the meeting at approximately 11:05 p.m.

PLANNING
COMMISSION

A report of the February 22, 1982 Planning Commission meeting was given as follows: The Planning Commission

1. Recommended the approval of the request of Genie Development and Guarantee Savings and Loan to expand Unit #2, Beckman Ranch Condominiums at 1905 South Ham Lane and to amend P-D(15), Planned Development District No. 15 by reducing the number of single-family units and increasing the number of condominiums with the following conditions:

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REQUEST TO EXPAND
UNIT #2 BECKMAN
RANCH

- a) That the density of the Condominiums be a maximum of 15 units per acre;
- b) that, except for density, the condominium project conform to the requirements of the R-GA, garden apartment residential district; and
- c) that the single-family portion of the development conform to the R-2, Single-family residential district.

On motion of Councilman Pinkerton, McCarty second, Council set the heretofore listed matter for public hearing on April 7, 1982 at 8:00 p.m.

The Planning Commission also -

ITEMS OF
INTEREST

- 1. Approved the request of Ray Properties to convert an existing medical-dental building at 755 South Fairmont Avenue to condominium offices in an area zoned R-C-P, residential-commercial-professional.
- 2. Conditionally approved the request of Genie Development and Guarantee Savings and Loan for a Revised Tentative Map of Beckman Ranch, Unit #5 located north of Century Boulevard and West of South Ham Lane in an area zoned P-D(15), Planned Development District No. 15.
- 3. Conditionally approved the request of Terry Piazza for a Tentative Parcel Map to create Parcels "A" and "B" at 319 Cypress Street in an area zoned R-MD, Medium density multiple family residential.
- 4. Approved the request of Robert Harr for a Variance to reduce the required side yard from 5 feet to 2 feet 6 inches to permit an addition which will connect a single-family dwelling with an accessory building at 327 Poplar Street in an area zoned R-MD, Medium density multiple family residential.

COMMUNICATIONS
(CITY CLERK)

Following introduction of the matter by City Clerk Reimche, Council, on motion of Councilman Pinkerton, Hughes second, rejected the claim of Maria Gutierrez as insufficient.

cc-4(c)

CLAIMS

Following introduction of the matter by City Clerk Reimche and on recommendation of R. L. Kautz and Company and the City Attorney, Council, on motion of Councilman Pinkerton, Hughes second, denied the following claims and referred them to R. L. Kautz and Company:

- a) Herbert Rudolph
- b) Charles & Shirley Beauchamp
- c) Victor Kendrick

PUBLIC HEARING
RE STREET LIGHT
REQUIREMENT
CYPRESS STREET
PARCEL MAP

City Clerk Reimche presented a letter which had been received from Terry Piazza, Baumbach and Piazza, Civil Engineers, stating that he wishes to appeal the Planning Commissions' requirement of a street light concerning his recently approved Parcel Map on Cypress Street and requesting that the appeal be set for the first meeting in April.

cc-1(a)

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On motion of Councilman Hughes, Pinkerton second, the matter was set for Public Hearing at 8:00 p.m. on April 7, 1982.

ABC LICENSE

An application for Alcoholic Beverage License which had been received from Edward DeBenedetti and Joyce A. DeBenedetti, Willow Oaks Golf Course, 1123 N. Cluff Avenue, Lodi - On Sale Beer was presented to the Council.

ASSEMBLY BILL 2764

City Clerk Reimche presented a letter which had been received from Ellerth E. Larson, Superintendent and Secretary to the Governing Board, Lodi Unified School District, expressing the district's appreciation for the Lodi City Council's recent adoption of a resolution urging Governor Brown to reconsider his freeze on school construction funds.

On motion of Councilman Pinkerton, Hughes second, Council, following introduction of the ~~matter~~, voted to support AB 2764 which bill concerns the administration of the Small Cities Community Development block Grant Program which the State will assume from the Federal Government in October.

LETTER RE RECENT RATE HIKES BY PUC

City Clerk Reimche presented a letter which had been received from Houston Spires, Executive Director, Sierra Foothills Community Assistance Project, Inc., asking Council to adopt a Resolution condemning the recent rate hikes by the Public Utilities Commission. On motion of Councilman Pinkerton, Hughes second, Council voted not to act on this letter.

APPRECIATION EXTENDED TO CABLE T.V.

An expression of appreciation was extended to Lodi Cable T.V. for the television monitors and extra service it had provided the City during the recent proposed street widening Public Hearings.

AB 2400 RE ELECTIONS BY MAIL

City Clerk Reimche presented information concerning AB 2400 regarding Elections by Mail. Following discussion, Council, on motion of Mayor McCarty, Hughes second, directed that the matter be placed on the agenda for the March 17, 1982 Council meeting.

COMMENTS BY CITY COUNCIL- MEN

City Manager Graves was requested by the Council to provide a report on the following:

- 1) Reported delays in the processing of the issuance of City Business Licenses,
- 2) To confirm that the Lodi Fire Department will participate in the planned "burn" for various buildings at the "old" Lodi High School Site.

REPORTS OF THE CITY MANAGER

CONSENT

In accordance with report and recommendation of the City Manager, the following actions, hereby set forth between asterisks, on motion of Councilman Pinkerton, Hughes second, were approved by Council.

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CLAIMS

CLAIMS WERE APPROVED IN THE AMOUNT OF
\$4,041,234.94.

MINUTES

THE MINUTES OF FEBRUARY 3, 1982 AS AMENDED
AND THE MINUTES OF FEBRUARY 17, 1982 WERE
APPROVED AS WRITTEN.

PHEASANT RUN
SUBDIVISION

The final map and subdivision documents for
Pheasant Run Subdivision were presented for Council
Approval. Council was apprised that this is a one
lot condominium subdivision being developed by
Grupe Communities, Inc., within the Lakeshore
Village development. This subdivision will contain
49 condominium units and a common area. It is
located on the northwest corner of Mills Avenue and
Sand Creek Drive.

COUNCIL APPROVED THE FINAL MAP AND
SUBDIVISION DOCUMENTS FOR PHEASANT RUN
SUBDIVISION AND DIRECTED THE CITY MANAGER
AND CITY CLERK TO EXECUTE THE SUBDIVISION
AGREEMENT AND MAP ON BEHALF OF THE CITY.

Council was apprised that the contract which was
awarded to Shape, Incorporated of Sacramento on
January 20, 1982 in the amount of \$17,015, has been
completed in substantial conformance with the
plans and specifications approved by the City Council.

ACCEPTANCE OF
"SACRAMENTO
STREET INDUSTRIAL
WASTE WATER
LIFT STATION
PUMP AND
MOTORS"

COUNCIL ACCEPTED THE IMPROVEMENTS IN
"SACRAMENTO STREET INDUSTRIAL WASTE
WATER LIFT STATION PUMP AND MOTORS" AND
DIRECTED THE PUBLIC WORKS DIRECTOR TO
FILE A NOTICE OF COMPLETION WITH THE
COUNTY RECORDER'S OFFICE.

SPECS/REDRILLING
AND RENOVATION OF
WELL 10 APPROVED

Council approved the plans and specifications
for "Well Drilling, Well 10" and authorized the
City Clerk to advertise for bids thereon. Council
further approved a Special Allocation Request
in the amount of \$46,750 to redrill Well #10, replace
worn bowls and add 40' of column and shaft and abandon
two existing wells at the same location.

CITY MANAGER'S
1981 CONFLICT OF
INTEREST FILING
RECEIVED

COUNCIL RECEIVED FOR FILING, CONFLICT OF
INTEREST FILING OF CITY MANAGER HENRY GLAVES
FOR YEAR ENDING DECEMBER 31, 1981.

City Manager Glaves presented the following bids
which had been received for Portable Basketball
Floor and Standards.

| Bidder | Floor Size | Alt. 1 Floor | Alt. 2 Floor | Standards |
|---------------------|---------------|-----------------|----------------|-----------------|
| CHAMPION | 104X72 | \$46,700. | | \$11,200. |
| | | Tax 2,802. | | Tax 672. |
| | | Total \$49,502. | | Total \$11,872. |
| ROBBINS | 104X70 | \$43,475. | \$51,375. | \$ 9,860. |
| | | Tax 2,608. | Tax 3,082. | Tax 592. |
| | | Total \$46,083. | Total \$54,457 | Total \$10,452. |
| OUTDOOR PRODUCTS | | No Bid | No Bid | \$ 9,100. |
| | | | | Tax 546. |
| | | | | Total \$ 9,646. |

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RES. AWARDDING
CONTRACT FOR
PORTABLE BASKET-
BALL FLOOR AND
STANDARDS

Following recommendation of the City Manager,
Council adopted the following resolution:

RESOLUTION NO. 82-20

RES. NO. 82-20
82-18
82-505

RESOLUTION AWARDDING THE CONTRACT FOR THE PORTABLE
BASKETBALL FLOOR TO ROBBINS, INC. IN THE AMOUNT
OF \$54,457.00 AND OUTDOOR PRODUCTS CO., FOR THE
STANDARDS IN THE AMOUNT OF \$9,646.00.

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RES. APPROVING
CAL TRANS
AGREEMENT FOR
HUTCHINS AND
KETTLEMAN LANE
TRAFFIC SIGNAL

The Modification Agreement of Hutchins and Kettle-
man Traffic Signal with California Department of
Transportation was presented for Council's
approval. The proposed work at this intersection
mainly involves the addition of left turn phases
in order to reduce the high number of left turn
accidents; however, doing this will require major
changes to the signals - new poles, mast arms and
detectors. The costs are being split 50-50 be-
tween the City and the State and funds (\$64,000)
for the City's share were budgeted in the 1981-82
Capital Improvement Program.

RES. NO. 82-21

Following discussion, on motion of Councilman
Pinkerton, Hughes second, Council adopted
Resolution No. 82-21 approving Cooperative Agree-
ment between the City of Lodi and the California
Department of Transportation and directing the
Mayor and City Clerk to execute the Agreement
on behalf of the City.

Staff asked Council for a clarification of
Council's February 24, 1982 direction to construct
Turner Road (at Cluff Avenue) to its ultimate
width.

The exact motion, moved by Pinkerton and seconded
by Murphy, is as follows:

"That we try to acquire the property so we can
continue the streets and tie it into the existing
contract and get it done at a reasonable price so
it's done, out of the way, and so we have a
development with an access to the industrial area
of the City of Lodi."

Because of the exact wording of the motion, the
Staff, feels that clarification is needed on the
following items:

1. Is it the Council's intention to acquire the
required rights-of-way from Snell, Jerome, and
Anagnos?

For Council's information, it has been past
practice of the City Council to use their
condemnation power where portions of future
street alignments were needed as part of a
proposed development for installation of
utilities, additional street width, drainage,
etc. However, it has been in the past, the
developer's responsibility to pay for the
appraisal, condemnation, and any litigation
costs, the right-of-way needs and to make the
necessary installations required for his
development.

For Council information, the appraisal work
will cost \$3,000 and the rights-of-way costs
and preliminary construction estimates as
follows:

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| | <u>Right-of-way Costs*</u> | <u>Construction Costs</u> | <u>Total</u> |
|---------|----------------------------|---------------------------|---------------|
| Jerome | \$ 700 | \$ 8,000 | \$ 8,700 |
| Snell | 5,500 | 11,000 | 16,500 |
| Anagnos | <u>10,800</u> | <u>34,000</u> | <u>44,800</u> |
| Total | \$ 17,000 | \$53,000 | \$70,000 |

*Based on \$0.50 per square foot. No value given to severence.

2. Is it the intent that the City pay all of the above costs?

This is questioned based on the memo that was in the last Council packet from City Attorney Stein. From this memo it appears the developer has indicated to the City Attorney that they would be willing to pay for the improvements in front of Snell and Jerome properties if the City purchased the rights-of-way.

3. Is it the City Council's intent to construct all of the street improvements, including parking lane, curb, gutter and sidewalk, or only those improvements necessary to provide the ultimate four (4) travel lanes?
4. It was clear that the Council wanted this work done in conjunction and together with the work under the Assessment District. Since the Assessment District contract has been let and it is the contractor's intent to install the underground utilities and do the roadway construction on Turner Road first, it doesn't appear that we will be able to do the additional work on Turner Road in conjunction with the Assessment District contract. It is assumed that the Council doesn't want to delay the District work.
5. If it is the Council's intent for the City to be responsible for the construction costs, does the Council want to consider reimbursement at the time the properties develop and convert to a higher use?
6. If it is the Council's intent for the City to pay for the right-of-way and the additional street construction, does the Council have any preference on what City funds should be used?
7. If Cal-Cushion does not develop (the City has no guarantee) is it still the Council's intent to widen Turner Road?

CONFIRMATION OF
COUNCIL DIRECTION
ON TURNER ROAD
RIGHT-OF-WAY
CC-21(a)
CC-43(a)

Following discussion, Staff was informed by the Council that it was Council's intention to acquire the required rights-of-way from Snell, Jerome, and Anagnos. Council further directed Staff to proceed with the appraisal work at an estimated cost of \$3,000.00 which cost will be paid by the City of Lodi.

FIRE INSURANCE
RATING
IMPROVED
CC-112

City Manager Graves apprised the Council that a report had been received from Insurance Services Office of California indicating that the City of Lodi's fire insurance protection class has been improved to Class 3.

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Following introduction of the matter by City Manager Graves and Council discussion, Council, on motion of Councilman Pinkerton, McCarty second adopted Resolution No. 82-22 awarding the purchase of the following lease vehicles:

AWARD-PURCHASE
OF LEASED
VEHICLES

Full size Chevrolet Monte Carlo - Hertz Corp.
Millbrae

\$6,572

RES. NO. 82-22
CC-12(a)
CC-300

Chevrolet Chevette -

Avis Car Sales

\$5,300

ORDINANCES

Ordinance No. 1252 - Ordinance of the City of Lodi, California, declaring the need for an Industrial Development Authority to function in said City, and declaring the City Council of said City to be said Authority, having been introduced at a Special/Adjourned was brought up for passage after second reading by Title.

ESTABLISHING
INDUSTRIAL
DEVELOPMENT
AUTHORITY

On motion of Councilman Pinkerton, Hughes second, the Ordinance was then adopted and ordered to print by the following vote:

ORD. NO. 1252

Ayes: Councilmen - Hughes, Pinkerton and
McCarty

Noes: Councilmen - None

Absent: Councilmen - Katnich and Murphy

ADJOURNMENT

There being no further business to come before the Council, Mayor McCarty adjourned the meeting at approximately 11:45 p.m.

Attest:

Alice M. Reimche
ALICE M. REIMCHE
City Clerk

*Minutes of March 17, 1982 begin
on page 135*